

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

TEQUAN DOE,

Plaintiff,

-against-

THE CITY OF NEW YORK, et al.,

Defendants.

1:22-CV-7910 (LTS)

ORDER OF DISMISSAL

LAURA TAYLOR SWAIN, Chief United States District Judge:

By order dated December 1, 2022, the Court granted Plaintiff, who appears *pro se*, one last 30-day extension of time to comply with the Court's October 3, 2022, order (ECF 14); in the October 3, 2022, order, the Court had directed Plaintiff to file an amended complaint in which he refers to himself using his legal name, and in which he includes his postal address, email address, and telephone number (ECF 4). In its December 1, 2022, order, the Court reminded Plaintiff that any motion that he wished to file to proceed under a pseudonym or under seal must be accompanied by both a redacted and unredacted version of an amended complaint filed in compliance with the Court's October 3, 2022, order. (ECF 14.) The Court also warned Plaintiff that if he failed to comply with the Court's October 3, 2022, order or December 1, 2022, order within the extended time allowed, the Court would dismiss this action without prejudice. (*Id.*) (citing Fed. R. Civ. P. 41(b)).

On January 20, 2023, Defendant City of New York filed a letter requesting dismissal of this action, under Rule 41(b) of the Federal Rules of Civil Procedure ("Rule 41(b)"), due to Plaintiff's failures to comply with this Court's previous orders. (ECF 16.) Plaintiff has not filed an amended complaint in compliance with the Court's October 3, 2022, order within the extended time allowed. Accordingly, the Court grants Defendant City of New York's request and dismisses this action under Rule 41(b), but without prejudice.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore *in forma pauperis* status is denied for the purpose of an appeal. *Cf. Coppededge v. United States*, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

The Court directs the Clerk of Court to enter judgment in this action.

SO ORDERED.

Dated: February 2, 2023
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN
Chief United States District Judge